

Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address  LOBEL WEILAND GOLDEN FRIEDMAN LLP Reem J. Bello, State Bar No. 198840 rbello@lwgfllp.com 650 Town Center Drive, Suite 950 Costa Mesa, California 92626 Telephone: (714) 966-1000 Facsimile: (714) 966-1002  <input type="checkbox"/> Individual appearing without attorney <input checked="" type="checkbox"/> Attorney for: Chapter 7 Trustee, Howard B. Grobstein	FOR COURT USE ONLY
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<b>UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA - RIVERSIDE DIVISION</b>	
In re:  VICTOR D. MARTIN,          Debtor(s).	CASE NO.: 6:11-bk-39287-SY CHAPTER: 7          <b>NOTICE OF SALE OF ESTATE PROPERTY</b>

<b>Sale Date:</b> 06/15/2017	<b>Time:</b> 9:30 am
<b>Location:</b> United States Bankruptcy Court, 3420 Twelfth Street, Riverside, CA 92501	

**Type of Sale:** ☐ Public ☒ Private **Last date to file objections:** 06/01/2017

**Description of property to be sold:** The Estate's interest in the real property located at 13161 Perris Boulevard, Moreno Valley, California, 92553. See attached Notice of Motion.

**Terms and conditions of sale:** Sale is "as is, where is," without representation or warranty, express or implied, pursuant to 11 U.S.C. Sections 363(b). The sale is subject to Bankruptcy Court approval and is subject to overbids.

**Proposed sale price:** \$ 174,000.00

This form is mandatory. It has been approved for use in the United States Bankruptcy Court for the Central District of California.

Overbid procedure (if any): See attached Notice of Motion

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If property is to be sold free and clear of liens or other interests, list date, time and location of hearing:

United States Bankruptcy Court, Riverside Division

3420 Twelfth Street, Courtroom 302

Riverside, CA 92501

Date: April 13, 2017

Time: 9:30 a.m.

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Contact person for potential bidders (include name, address, telephone, fax and/or email address):

Reem J. Bello, Esq.

Lobel Weiland Golden Friedman LLP

650 Town Center Drive, Suite 950

Costa Mesa, CA 92626

Tel: (714) 966-1000 Fax: (714) 966-1002

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Date: 05/25/2017

## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

650 Town Center Drive, Suite 950, Costa Mesa, CA 92626

A true and correct copy of the foregoing document entitled: **NOTICE OF SALE OF ESTATE PROPERTY** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF)**: Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) 04/14/2015, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. **SERVED BY UNITED STATES MAIL:**

On (date) \_\_\_\_\_, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

3. **SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served)**: Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) 04/14/2015, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Via Personal Delivery

The Honorable Theodor Albert, U.S. Bankruptcy Courtroom 5B, 411 W. Fourth Street, Santa Ana, CA 92701

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

04/14/2015  
Date

Lindsay Fisk  
Printed Name

/s/ Lindsay Fisk  
Signature

**LOBEL WEILAND GOLDEN FRIEDMAN LLP**

Jeffrey I. Golden, State Bar No. 133040

jgolden@lwgfllp.com

Reem J. Bello, State Bar No. 198840

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650 Town Center Drive, Suite 950

Costa Mesa, California 92626

Telephone 714-966-1000

Facsimile 714-966-1002

Counsel for Chapter 7 Trustee,

Howard B. Grobstein

**UNITED STATES BANKRUPTCY COURT  
CENTRAL DISTRICT OF CALIFORNIA  
RIVERSIDE DIVISION**

In re

VICTOR D. MARTIN,

Debtor.

Case No. 6:11-bk-39287-SY

Chapter 7

**NOTICE OF HEARING ON CHAPTER 7  
TRUSTEE'S AMENDED MOTION FOR  
ORDER:**

- (1) **AUTHORIZING SALE OF REAL  
PROPERTY FREE AND CLEAR OF  
LIENS, CLAIMS, AND INTERESTS  
PURSUANT TO 11 U.S.C. §§ 363(b)  
AND (f);**
- (2) **APPROVING OVERBID PROCEDURES;**
- (3) **APPROVING BUYER, SUCCESSFUL  
BIDDER, AND BACK-UP BIDDER AS  
GOOD-FAITH PURCHASER PURSUANT  
TO 11 U.S.C. § 363(m);**
- (4) **AUTHORIZING PAYMENT OF  
UNDISPUTED LIENS, REAL ESTATE  
BROKER'S COMMISSIONS AND OTHER  
ORDINARY COSTS OF SALE; AND**
- (5) **APPROVING AND AUTHORIZING  
PAYMENT OF ADMINISTRATIVE CLAIM**
- (6) **AUTHORIZING THE ESTATE TO RETAIN  
SECURITY DEPOSIT AS LIQUIDATED  
DAMAGES**

**[13161 Perris Boulevard, Moreno Valley,  
California, 92553]**

**DATE: June 15, 2017  
TIME: 9:30 a.m.  
CTRM: 302**

**LOBEL WEILAND GOLDEN FRIEDMAN LLP**  
650 Town Center Drive, Suite 950  
Costa Mesa, California 92626  
Tel (714) 446-1000 Fax (714) 966-1002

1 **TO THE DEBTORS, CREDITORS, OFFICE OF THE UNITED STATES TRUSTEE AND**  
2 **ALL PARTIES IN INTEREST:**

3 **PLEASE TAKE NOTICE** that on **June 15, 2017**, at **9:30 a.m.** in **Courtroom 302** of  
4 the United States Bankruptcy Court located at 3420 Twelfth Street, Riverside, California  
5 92501, a hearing will be held on the *Chapter 7 Trustee's Amended Motion for Order: (1)*  
6 *Authorizing Sale of Real Property Free and Clear of Liens, Claims, and Interests Pursuant*  
7 *to 11 U.S.C. §§ 363(b) and (f); (2) Approving Overbid Procedures; (3) Approving Buyer,*  
8 *Successful Bidder, and Back-up Bidder as Good-Faith Purchaser Pursuant to 11 U.S.C.*  
9 *§ 363(m); (4) Authorizing Payment of Undisputed Liens, Real Estate Broker's*  
10 *Commissions and Other Ordinary Costs of Sale; (5) Approving and Authorizing Payment*  
11 *Administrative Claim; and (6) Authorizing the Estate to Retain the Security Deposit as*  
12 *Liquidated Damages* (the "Motion") filed by Howard B. Grobstein, the chapter 7 trustee  
13 (the "Trustee") of the estate (the "Estate") Victor D. Martin (the "Debtor"). The Motion is  
14 summarized as follows:

### 11 SUMMARY

12 By the Motion, the Trustee seeks to sell real property located in Moreno, California,  
13 for a purchase price of \$174,000.00, subject to overbid and Court approval. The Trustee  
14 had entered into an agreement for the purchase of the real property and on March 21,  
15 2017, the Trustee filed and served a motion seeking approval of that sale. The hearing on  
16 that original motion was continued to June 16, 2017. Since that time, the proposed  
17 buyers (the "Original Buyers") were unable to secure financing and have sought to cancel  
18 the contract.

19 The Trustee has continued to market the real property for sale and has obtained  
20 another offer. By this Motion, the Trustee seeks approval to sell the real property and to  
21 retain the security deposit on the grounds that the Original Buyers are in default of the  
22 original agreement.

23 As discussed below, the Trustee believes the purchase price represents the fair  
24 market value of the property and the proposed sale is reasonable and in the best interest  
25 of the Estate.

### 22 BACKGROUND

23 On September 15, 2011, Debtor filed an incomplete voluntary petition for relief  
24 under Chapter 13 of the United States Bankruptcy Code. Debtor's filing included  
25 Schedule A which listed the real property located at 13161 Perris Boulevard, Moreno  
26 Valley, California (the "Property"). On September 29, Debtor filed his schedule C and  
27 claimed an exemption in the Property in the amount of \$29,700 in accordance with  
28 California Code of Civil Procedure Section 704.730. Schedule C listed the value of the  
Property as \$90,000. On October 18, 2011, an objection to Debtor's Chapter 13 plan and  
claim of exemption were filed. On October 24, 2011, Debtor sought conversion of his  
case to one under Chapter 7 and Howard B. Grobstein was appointed Chapter 7 trustee.

Debtor subsequently amended his schedule C and revised his claimed exemption in the Property from \$29,700 to \$40,000. On February 8, 2012, Debtor amended his schedule A to revise the value of the Property from its original \$29,700 to \$70,000. On that same date, Debtor further filed an amended schedule C to remove all claimed exemptions against the Property.

Debtor holds a 1/3 interest in the Property, Vincent Martin and Deborah Martin hold a collective 1/3 interest in the Property, and the remaining 1/3 interest is held by Kim Martin. Kim Martin has consented to the sale of her interest in the Property. Vincent and Debtor Martin claim an interest in the Property.

Vincent Martin and Deborah Martin filed a bankruptcy case under Chapter 13 of the Bankruptcy Code, which was converted to Chapter 7 on October 24, 2011. Arturo Cisneros, as the Chapter 7 Trustee for their bankruptcy estate, abandoned that bankruptcy estate's interest in the Property on September 18, 2014.

### **THE ADVERSARY PROCEEDING**

On June 18, 2015, the Trustee filed the Complaint for Approval of the Sale of Property of the Bankruptcy Estate and Co-Owner(s) Pursuant to 11 U.S.C. § 363(h) and Turnover of Estate Property Pursuant to 11 U.S.C. § 542 and for Attorney's Fees (the "Complaint") against Vincent Martin and Deborah Martin (the "Defendants"), commencing Adv. No. 6:15-ap-01174-SY. The Clerk entered Defendants' default on February 12, 2016. On May 6, 2016, the order granting the Trustee's Motion for Default Judgment Pursuant to Federal Rule of Bankruptcy Procedure 7055 and Local Bankruptcy Rule 7055-1 was entered and judgment (the "Judgment") was entered in favor of the Trustee against Defendants. The Judgment authorized the Trustee to take possession of and sell the Property free and clear of the interests of the co-owners pursuant to 11 U.S.C. § 363(h).

Despite the Judgment, Defendants failed and refused to vacate the Property. The Trustee was forced to file a motion to enforce the Judgment. On December 7, 2016, the Court entered the Order Granting Motion for Order (1) Enforcing Default Judgment; (2) Directing and Authorizing the United States Marshalls Service to Enforce the Order of the Court Compelling the Defendants to Vacate Property of the Estate.

### **EMPLOYMENT OF BROKER AND AGENTS**

On August 19, 2016, the Trustee filed the application (the "Application") to employ co-brokers, Elite Properties Realty ("Elite") and First Team Real Estate ("First Team") (collectively the "Co-Brokers") and Phil Seymour and Samuel Tsapatolis, agents of the Co-Brokers (the "Agents"). The employment terms provide for a total broker's commission aggregating six percent (6%) of the sales price of the Property, upon close of escrow. The order entered September 12 2016, authorized the Trustee to employ the Co-Brokers and the Agents. A copy of the entered order is attached to the Motion as Exhibit "1."



1 Elite has an exclusive listing on the Property and First Team has assisted Elite in  
2 marketing the Property.

### 3 VALUE AND MARKETING OF PROPERTY

4 Both Mr. Seymour and Mr. Tsapatolis have extensive experience in marketing and  
5 selling real properties and, based on an investigation of surrounding property values and  
6 the interest generated by the listing, he believes the proposed purchase price for the  
Property represents current fair market value.

7 The Property has been listed for sale in the Riverside County Multiple Listing  
8 Service and the listing is also available on numerous real estate websites. Tsapatolis has  
9 received and responded to numerous inquiries regarding the Property and is continuing to  
market the Property for overbids.

### 10 LIENS, CLAIMS AND INTERESTS

11 According to the Preliminary Report prepared by WFG National Title Company of  
12 California with an effective date of January 6, 2017 (the "Title Report"), a copy of which is  
13 attached to the Motion as Exhibit "2," the following items have been recorded against the  
Property:

14 The Trustee reserves the right to object to all or any portion of each and every  
15 claim or encumbrance that has been or will be asserted against the Property.

16 1. Item 1 – general and special taxes for the fiscal year 2017-2018; not yet due  
or payable;

17 2. Item 1a – general and special taxes for the fiscal years 2016-2017, first  
18 installment of \$755.88 due, second installment of \$687.17, open;

19 3. Items 1b – tax default for non-payment of delinquent taxes for the fiscal year  
2011-2012, in the amount of \$9,667.54;

20 4. Items 1c-1d – supplemental taxes and assessments;

21 5. Items 2-6 - water rights, covenants, conditions, easements and agreements;

22 6. Item 7 – a Trust Transfer Deed which purports to convey title from Gary  
Dean Martin, as grantor to Kim L. Martin, Trustee of the Gary D. and Stefania J. Martin  
Family Trust, as grantee, recorded July 25, 2008 as Instrument No. 2008-0407147,  
Official Records;

23 7. Item 8 – a Quitclaim Deed which purports to convey title from Kim L. Martin,  
Trustee of the Gary D. and Stefania J. Martin Trust dated July 16, 2008, as grantor to Kim  
24 L. Martin, a single woman, Vincent D. Martin, a single man, all as joint tenants, as  
grantee, recorded October 7, 2008, as Instrument No. 2008-0541649, Official Records;

25 8. Item 9 – a Quitclaim Deed which purports to convey title from Vincent  
26 Martin, as grantor to Kim L. Martin, Victor Martin, and Deborah Martin, as grantee,  
recorded on September 4, 2009, as Instrument No. 2011-0190937, of Official Records;

27 9. Item 10 – a Notice of Pendency of Action (the "Lis Pendens") recorded May  
28 2, 2011, as Instrument No. 2011-0190937 of Official Records, in the Superior Court of

1 California, County of Riverside, Case No. RIC 1105644. There are no open deeds  
2 recorded against the Property.

3 **Terms of the Proposed Sale**

4 Oasis Investment Properties LLC and Erin Fattal, whose business address is 5752  
5 Cedros Avenue, Van Nuys, CA 91411 (together, the "Buyers") have offered to purchase  
6 the Property and the Trustee has accepted that offer. A true and correct copy of the  
7 Residential Purchase Agreement and Joint Escrow Instructions (the "Purchase  
8 Agreement") is attached hereto as Exhibit "3."

9 The salient terms of the sale are as follows:

- 10 1. The purchase price (the "Purchase Price") is \$174,000;
- 11 2. The Buyer has made an initial deposit of \$5,000 (the "Deposit") payable to  
12 escrow, which is currently held by Jewel Escrow ("Escrow"). The Deposit is non-  
13 refundable to the Buyer and refundable only in the event the Bankruptcy Court accepts a  
14 third party overbid, or does not approve the Purchase Agreement for reasons not  
15 attributable to the Buyer. The Trustee shall retain the Deposit as liquidated damages if  
16 the Bankruptcy Court approves the sale and the Buyer defaults under the Purchase  
17 Agreement;
- 18 3. The balance of the Purchase Price shall be tendered upon Close of Escrow  
19 (as defined in the Purchase Agreement);
- 20 4. The sale is as is, where is, with all faults, without warranty or recourse, but  
21 free and clear of any and all liens, claims, and interests, together with all improvements,  
22 as well as all easements and appurtenances pursuant to 11 U.S.C. §§ 363(b) and (f);
- 23 5. The sale is subject to approval of the Bankruptcy Court; and
- 24 6. The sale is subject to overbids.

25 **The Original Buyers are in Default of the Original Purchase Agreement**

26 Pursuant to the California Residential Purchase Agreement and Joint Escrow  
27 Instructions (the "Original Agreement") signed by the Original Buyers on October 11,  
28 2017, the Original Buyers had 21 days after acceptance, to remove the loan contingency  
in writing or cancel the Original Agreement. A true and correct copy of the Original  
Agreement is attached hereto as Exhibit "4." The Original Buyers had made a \$3,000.00  
deposit (the "Original Deposit").

29 The Original Agreement further states that "obtaining a loan is not a contingency of  
30 the Original Agreement and if the Buyer does not obtain the loan and as a result does not  
31 purchase the Property, Seller may be entitled to the Buyer's deposit." See Exhibit "4" at  
32 page 2, j(3) & (4).

33 Despite the above referenced provisions, the Original Buyers did not provide the  
34 Trustee with a removal of the loan contingency and sought to cancel the agreement on  
35 April 26, 2017. The stated reason for the cancellation was that the lender would not  
36 finance due to the condition of the house. A true and correct copy of the Cancellation of  
37 Contract signed by the Original Buyers is attached to the Motion as Exhibit "5." The



1 Trustee has not agreed to the cancellation and has made demand upon Escrow to  
2 turnover the deposit. A true and correct copy of the written demand is attached to the  
Motion as Exhibit "6."

3 In this case the Original Buyers failed to complete the purchase because they could  
4 not obtain financing. Pursuant to section 21B of the Original Agreement, the Seller has  
the right to retain the deposit, as liquidated damages, based upon the Buyers default.  
5 Therefore, the Trustee requests an order of the Court to direct escrow to turnover the  
Original Deposit to the Trustee.

7 **PLEASE TAKE FURTHER NOTICE that all overbids must be in writing and  
must be submitted to the Trustee's counsel whose address is listed in the top left  
8 hand corner of the first page of the instance Notice. Overbids are due on or before  
May 12, 2017 by 5:00 p.m.**

9 **PLEASE TAKE FURTHER NOTICE that the overbid procedures sought to be  
10 approved by the Court are as follows:**

- 11 1. Qualifying bidders ("Qualifying Bidder") shall:
  - 12 a. Bid at least \$184,000 in cash for the Property;
  - 13 b. Set forth in writing the terms and conditions of the offer that are  
at least as favorable to the Trustee as those set forth in the Purchase  
Agreement attached to the Motion as Exhibit "4";
  - 14 c. Be financially qualified, in the Trustee's exercise of his sound  
business judgment, to close the sale as set forth in the Purchase  
Agreement;
  - 15 d. Submit an offer that does not contain any contingencies to  
closing the sale, including, but not limited to, financing, inspection, or repair  
contingencies;
  - 16 e. Submit a cash deposit for the Property in the amount of \$5,000  
17 (the "Overbid Deposit") payable to Howard B. Grobstein, Chapter 7 Trustee  
18 for the Bankruptcy Estate of Victor D. Martin, in the form of a cashier's  
19 check, which Overbid Deposit shall be non-refundable if the bid is deemed  
20 to be the Successful Bid, as defined in paragraph 4 below. The Overbid  
Deposit, written offer, and evidence of financial qualification must be  
21 delivered to the Trustee (at 650 Town Center Drive, Suite 950, Costa Mesa,  
California 92626) at or before April 7, 2017, by 5:00 p.m.
- 22 2. At the hearing on the Motion, only the Buyer and any party who is  
deemed a Qualifying Bidder shall be entitled to bid.
- 23 3. Any incremental bid in the bidding process shall be at least \$1,000  
higher than the prior bid.
- 24 4. At the hearing on the Motion and upon conclusion of the bidding  
25 process, the Trustee shall decide, subject to Court approval, which of the bids is  
the best bid, and such bid shall be deemed to be the "Successful Bid." The bidder  
26 who is accepted by the Trustee as the successful bidder (the "Successful  
Bidder") must pay all amounts reflected in the Successful Bid in cash at the closing  
27 of the sale. At the hearing on the Motion, and upon conclusion of the bidding  
process, the Trustee may also acknowledge a back-up bidder (the "Back-Up  
28 Bidder") which shall be the bidder with the next best bid. Should the Successful

Bidder fail to close escrow on the sale of the Property, the Trustee may sell the Property to the Back-Up Bidder without further Court order.

5. Overbids shall be all cash and no credit shall be given to the purchaser or overbidder(s).

#### **SUMMARY OF RELIEF SOUGHT BY THE MOTION**

By the Motion, the Trustee seeks entry of an order providing the following relief::

1. Granting the Motion;
2. Approving the terms of the Purchase Agreement attached to the Motion as Exhibit "4" and authorizing the Trustee to sell the Property to the Successful Bidder, or the Back-Up Bidder, "as is," "where is," "with all faults," and without warranty or recourse, but free and clear of any and all liens, claims, and interests, together with all improvements, as well as all easements and appurtenances, pursuant to 11 U.S.C. § 363(b) and (f);
3. Authorizing the Trustee to pay, through escrow, from the proceeds of the sale of the Property and without further order of the Court, the property tax liens, other real property taxes and assessments prorated as of the close of escrow, the above-described broker's commission, and any escrow fees, title insurance premiums and other ordinary and typical closing costs and expenses payable by the Trustee pursuant to the Purchase Agreement or in accordance with local custom;
4. Approving the Administrative Claim and authorizing the Administrative Claim to be paid through escrow;
5. Determining that the Buyer, the Successful Bidder, and the Back-Up Bidder are "good faith purchasers" pursuant to 11 U.S.C. § 363(m);
6. Authorizing the Trustee to return any Overbid Deposit to any unsuccessful bidder;
7. Attaching to the net sales proceeds any unpaid portion of the liens and judgments in the same value, priority and scope as such liens currently exist against the Property, subject to any and all of the Trustee's rights to object to, dispute, or subordinate such lien;
8. Reserving to the Trustee all rights to object to the validity, scope and priority of all disputed liens, claims and interests;
9. Approving the overbid procedures outlined in the Motion;
10. Authorizing the Trustee to take any and all necessary actions, including signing any documents needed to consummate the sale of the Property;
11. To the extent there is any tax liability to the Estate from the sale, authorizing the Trustee to pay such taxes from the net funds the Estate receives from the sale;
12. Waiving any requirements for lodging periods of the order approving this Motion imposed by Local Bankruptcy Rule 9021-1 and any other applicable bankruptcy rules;
13. Waiving the stay of the order approving this Motion imposed by Federal Rule of Bankruptcy Procedure 6004(h) and any other applicable bankruptcy rules;
14. Directing escrow to turnover the Original Deposit to the Trustee and authorizing the Trustee to retain the Original Deposit as liquidated damages; and

15. For such other and further relief as the Court may deem just and proper.

A complete copy of the Motion is on filed at the Bankruptcy Court.

**Your Rights May Be Affected.** You should read these papers carefully and discuss them with your attorney, if you have one. (If you do not have an attorney, you may wish to consult one.)

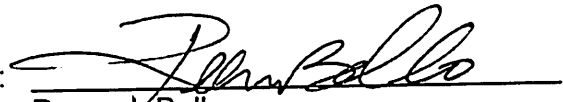
**Deadline for Opposition Papers.** The Motion is being heard on regular notice pursuant to LBR 9013-1. If you wish to oppose the Motion, you must file a written response with the Court and serve a copy of it upon the Movant or Movant's attorney at the address set forth above no less than **14 days** prior to the above hearing date. If you fail to file a written response to the Motion within such time period, the Court may treat such failure as a waiver of your right to oppose the Motion and may grant the requested relief.

**Hearing Date Obtained Pursuant to Judge's Self-Calendaring Procedure.** The undersigned hereby verifies that the above hearing date and time were available for this type of Motion according to the judge's self-calendaring procedures.

**PLEASE TAKE FURTHER NOTICE** that any party requesting a copy of the Motion or any supporting documents filed with the Court with respect to the Motion may contact counsel for the Trustee, Reem J. Bello, by email at [rbello@lwgfllp.com](mailto:rbello@lwgfllp.com), by mail at 650 Town Center Drive, Suite 950, Costa Mesa, California 92626, or by telephone at (714) 966-1000.

Dated: May 25, 2017

Respectfully submitted,  
LOBEL WEILAND GOLDEN FRIEDMAN LLP

By:   
Reem J. Bello  
Attorneys for Chapter 7 Trustee

## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

650 Town Center Drive, Suite 950, Costa Mesa, CA 92626

A true and correct copy of the foregoing documents entitled (*specify*): **NOTICE OF HEARING ON CHAPTER 7 TRUSTEE'S AMENDED MOTION FOR ORDER: (1) AUTHORIZING SALE OF REAL PROPERTY FREE AND CLEAR OF LIENS, CLAIMS, AND INTERESTS PURSUANT TO 11 U.S.C. §§ 363(b) AND (f); (2) APPROVING OVERBID PROCEDURES; (3) APPROVING BUYER, SUCCESSFUL BIDDER, AND BACK-UP BIDDER AS GOOD-FAITH PURCHASER PURSUANT TO 11 U.S.C. § 363(m); (4) AUTHORIZING PAYMENT OF UNDISPUTED LIENS, REAL ESTATE BROKER'S COMMISSIONS AND OTHER ORDINARY COSTS OF SALE; AND (5) APPROVING AND AUTHORIZING PAYMENT OF ADMINISTRATIVE CLAIM (6) AUTHORIZING THE ESTATE TO RETAIN SECURITY DEPOSIT AS LIQUIDATED DAMAGES [13161 Perris Boulevard, Moreno Valley, California, 92553]** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **May 25, 2017**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

**2. SERVED BY UNITED STATES MAIL:**

On **May 25, 2017**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☒ Service information continued on attached page

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served):** Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on **May 25, 2017**, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

**Via E-mail**

Laura and Chad Lord - Laura02emi@yahoo.com

**Via Personal Delivery**

The Honorable Scott H. Yun, U.S. Bankruptcy Courtroom 302, 3420 Twelfth Street, Riverside, CA 92501

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

5/25/17  
Date

Lindsay Fisk  
Printed Name

/s/ Lindsay Fisk  
Signature

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

**TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):**

Reem J Bello rbello@lwglfp.com, kadele@wglp.com;lfisk@wglp.com  
Howard B Grobstein (TR) hbgtrustee@gtfas.com, C135@ecfbis.com  
Eric C Morris ERIC.C.MORRIS@GMAIL.COM, EMORRIS@LAWSCCLG.COM  
Uzzi O Raanan uor@dgdk.com, DanningGill@gmail.com;uraanan@ecf.inforuptcy.com  
Faye C Rasch frasch@wglp.com, kadele@wglp.com;tziemann@wglp.com  
Britney Torres btorres@lobbcliff.com, britney.torres.2012@lawmail.usc.edu  
United States Trustee (RS) ustpregion16.rs.ecf@usdoj.gov

**VIA U.S. MAIL**

United States Trustee (RS)  
3685 Main Street, Suite 300  
Riverside, CA 92501

Howard B Grobstein (TR)  
Grobstein Teeple Financial Advisory Services, LLP  
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## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

650 Town Center Drive, Suite 950, Costa Mesa, CA 92626

A true and correct copy of the foregoing document entitled: **NOTICE OF SALE OF ESTATE PROPERTY** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) 05/25/2017, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. **SERVED BY UNITED STATES MAIL:**

On (date) \_\_\_\_\_, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

3. **SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served):** Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) 05/25/2017, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Via Personal Delivery

The Honorable Scott H. Yun, U.S. Bankruptcy Courtroom 302, 3420 Twelfth Street, Riverside, CA 92501

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

05/25/2017  
Date

Lindsay Fisk  
Printed Name

/s/ Lindsay Fisk  
Signature



**TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):**

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